

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 23-CR-0748-KWR-1

SOLOMON PEÑA,

Defendant.

DEFENDANT PEÑA’S SENTENCING MEMORANDUM

On March 19, 2025, Solomon Peña was found guilty by a jury at trial of 13 counts of the Second Superseding Indictment filed by the United States. Count 1 charged Conspiracy to Interfere with Federally Protected Activities; to Use and Carry a Firearm During and in Relation to a Crime of Violence and Possess a Firearm in Furtherance of Such Crime, Discharging Said Firearm; and to be a Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. § 371; Counts 2-5 charged Interference with Federally Protected Activities and Aiding and Abetting, in violation of 18 U.S.C. § 245(b)(1)(A) and 18 U.S.C. § 2; Counts 6-8 charged Using and Carrying a Firearm During and in Relation to a Crime of Violence, Discharging Said Firearm and Aiding and Abetting, in violation of 18 U.S.C. § 924(c)(1)(A)(iii) and 18 U.S.C. § 2; Count 9 charged Using and Carrying a Machinegun During and in Relation to a Crime of Violence, Discharging Said Firearm and Aiding and Abetting, in violation of 18 U.S.C. §§ 924(c)(1)(A)(iii) and (B)(ii) and 18 U.S.C. § 2; Count 10 charged Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8); and Counts 11-13 charged Solicitation to Commit a Crime of Violence, in violation of 18 U.S.C. § 373.

Of the charges of which he was convicted, 4 carry mandatory minimum sentences. Counts 6 through 8 each carry a minimum term of imprisonment of 10 years, and up to life imprisonment, pursuant to 18 U.S.C. § 924(c)(1)(A)(iii). Count 9 carries a minimum term of imprisonment of 30 years, and up to life imprisonment, pursuant to 18 U.S.C. § 924(c)(1)(B)(ii). These mandatory terms must run consecutively to each other and consecutively to any other sentence on any other charge. § 924(c)(1)(D). Therefore, the sentence must include 60 years of mandatory imprisonment.

Mr. Peña maintains his innocence and requests that the Court sentence him to the mandatory minimum of 60 years.

Respectfully submitted,

/s/ Nicholas T. Hart

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Counsel for Defendant Solomon Peña

This Filing Has No Exhibits

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of August, 2025, I filed the foregoing Motion electronically via the Court's CM/ECF filing system, causing a copy of it to be served on all counsel of record.

HARRISON & HART, LLC

By: /s/ Nicholas T. Hart
Nicholas T. Hart